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Attorneys for Defendant Samsung SDI America, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No.: 4:20-cv-05606-JST

Master File No.: 4:07-cv-05944-JST

MDL No. 1917

This document relates to:

Government of Puerto Rico, et al.,

Plaintiff,

v.

Panasonic Corp. of North America, et al.,

Defendants.

**DECLARATION OF JOSEPH P. PITTEL
IN SUPPORT OF SAMSUNG SDI
AMERICA, INC.'S MOTION TO DISMISS
FOR INSUFFICIENT SERVICE OF
PROCESS**

Date: August 19, 2021

Time: 2:00 p.m.

Judge: Hon. Jon S. Tigar

Courtroom: 6, 2 Floor

1 I, Joseph P. Pittel, pursuant to 28 U.S.C. § 1746 hereby declare as follows:

2 1. I am the General Counsel of Samsung SDI America, Inc. ("SDIA"), and I submit
3 this declaration in support of SDIA's Motion to Dismiss for Failure to Serve.

4 2. The matters set forth herein are within my personal knowledge and if called up on
5 and sworn as a witness I could competently testify regarding them. Where the facts and matters
6 are stated as within my own knowledge, I know and believe them to be true. Where they are not
7 within my own personal knowledge, they are true to the best of my information and belief and
8 derived from the sources identified or attached as exhibits to my declaration.

9 3. SDIA has no record of process being served at its headquarters, located at 4121
10 North Atlantic Blvd, Auburn Hills, MI 48326 ("SDIA Headquarters"), either by personal service
11 or by mail.

12 4. I am informed that a process server claims to have served process on SDIA by
13 serving "DEVIN JONES, EMPLOYEE" at SDIA's Headquarters on September 2, 2020. I have
14 confirmed by reference to SDIA's employment records that no one with the name Devin Jones
15 has ever been employed by SDIA at SDIA Headquarters.

16 5. As the General Counsel of SDIA, it is my responsibility to receive any couriers,
17 such as a process server seeking to deliver legal papers.

18 6. As of September 2, 2020, and due to the COVID-19 pandemic, SDIA maintained
19 a procedure with the security firm guarding SDIA Headquarters, Securitas, for the receipt of
20 couriers, such as process servers. Securitas was directed to call me or Human Resources, and I
21 would go down to the lobby and receive the courier. Under this procedure, Securitas does not
22 receive documents on behalf of SDIA.

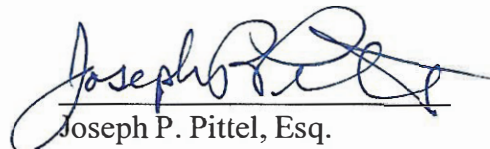
23 7. Visitors cannot access SDIA's offices unless they obtain a visitor security pass to
24 proceed through the electronic gate. Visitors can only obtain a security pass by following a sign-
25 in procedure with the security guard in the lobby.

1 8. On September 2, 2020, neither I nor any member of SDIA staff were contacted by
2 Securitas to receive any process server or alerted of any visitors. Even if SDIA staff were not on-
3 site on September 2, 2020, Securitas guards have access to mobile phone numbers for Human
4 Resources and the Securitas supervisor has access to my mobile number.

5 9. For completeness, I have checked with Securitas which has confirmed that on
6 September 2, 2020: (1) it did not employ anyone with the name Devin Jones, and no security
7 guard with that name was on duty at SDIA Headquarters; (2) it has no record of process being
8 served on the security guard on that day; and (3) it has no record of Tristan Seave (the alleged
9 process server) entering SDIA Headquarters.

10 10. From 2018 to present, CT Corporation is listed publicly as SDIA's registered
11 agent for service of process both on California and Michigan's Secretary of State's webpage. *See*
12 Exhibit Nos. 1-2.

13 I declare under penalty of perjury that the foregoing is true and correct. Executed this
14 15th day of April, 2021.



Joseph P. Pittel, Esq.
General Counsel, Director
Samsung SDI America, Inc.

EXHIBIT 1

Dr. Shirley N. Weber
California Secretary of State



Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Monday, May 3, 2021. Please refer to document **Processing Times** for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

C1426765 SAMSUNG SDI AMERICA, INC.

Registration Date:	01/11/1988
Jurisdiction:	CALIFORNIA
Entity Type:	DOMESTIC STOCK
Status:	ACTIVE
Agent for Service of Process:	<u>C T CORPORATION SYSTEM (C0168406)</u> To find the most current California registered Corporate Agent for Service of Process address and authorized employee(s) information, click the link above and then select the most current 1505 Certificate.
Entity Address:	4121 NORTH ATLANTIC BLVD. AUBURN HILLS MI 48326
Entity Mailing Address:	4121 NORTH ATLANTIC BLVD. AUBURN HILLS MI 48326

Certificate of Status

A Statement of Information is due EVERY year beginning five months before and through the end of January.

Document Type	↕	File Date	⌵	PDF
SI-COMPLETE		01/27/2021		
SI-COMPLETE		01/31/2020		
AMENDMENT		01/13/2000		
AMENDMENT		01/02/1997		
AMENDMENT		12/06/1994		
AMENDMENT		11/05/1993		
AMENDMENT		10/03/1990		
REGISTRATION		01/11/1988		

* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code **section 2114** for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to **Name Availability**.
- If the image is not available online, for information on ordering a copy refer to **Information Requests**.
- For information on ordering certificates, status reports, certified copies of documents and copies of documents not currently available in the Business Search or to request a more extensive search for records, refer to **Information Requests**.
- For help with searching an entity name, refer to **Search Tips**.
- For descriptions of the various fields and status types, refer to **Frequently Asked Questions**.

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EXHIBIT 2

LARA Corporations Online Filing System

Department of Licensing and Regulatory Affairs

ID Number: 801062559

[Request certificate](#)[Return to Results](#)[New search](#)

Summary for: SAMSUNG SDI AMERICA, INC.

The name of the FOREIGN PROFIT CORPORATION: SAMSUNG SDI AMERICA, INC.

Entity type: FOREIGN PROFIT CORPORATION

Identification Number: 801062559 Old ID Number: 60478F

Date of Qualification in Michigan: 06/29/2012

Incorporated under the laws of: the state of California

Purpose:

Term: Perpetual

Most Recent Annual Report: 2020

Most Recent Annual Report with Officers & Directors: 2020

The name and address of the Resident Agent:

Resident Agent Name: THE CORPORATION COMPANY

Street Address: 40600 ANN ARBOR RD E STE 201

Apt/Suite/Other:

City: PLYMOUTH

State: MI

Zip Code: 48170-4675

Registered Office Mailing address:

P.O. Box or Street Address: 4121 NORTH ATLANTIC BLVD.,

Apt/Suite/Other:

City: AUBURN HILLS

State: MI

Zip Code: 48326

The Officers and Directors of the Corporation:

Title	Name	Address
PRESIDENT	SEIWON CHUN	4121 NORTH ATLANTIC BLVD., AUBURN HILLS, MI 48326 USA
TREASURER	YONGIL JEON	4121 NORTH ATLANTIC BLVD. AUBURN HILLS, MI 48326 USA
SECRETARY	YONGIL JEON	4121 NORTH ATLANTIC BLVD., AUBURN HILLS, MI 48326 USA
DIRECTOR	SEIWON CHUN	4121 NORTH ATLANTIC BLVD., AUBURN HILLS, MI 48326 USA
DIRECTOR	KWON SOHN	4121 NORTH ATLANTIC BLVD., AUBURN HILLS, MI 48326 USA
DIRECTOR	YONGIL JEON	4121 NORTH ATLANTIC BLVD., AUBURN HILLS, MI 48326 USA
DIRECTOR	JONG SUN PARK	4121 NORTH ATLANTIC BLVD., AUBURN HILLS, MI 95134 USA

Total Authorized Shares	Shares Attributable to Michigan	Most Recent Apportionment %	Year Ending
10	60,000	74.8100%	2019

View filings for this business entity:

- ALL FILINGS
- ANNUAL REPORT/ANNUAL STATEMENTS
- CERTIFICATE OF CORRECTION
- CERTIFICATE OF CHANGE OF REGISTERED OFFICE AND/OR RESIDENT AGENT
- RESIGNATION OF RESIDENT AGENT
- CERTIFICATE OF ASSUMED NAME

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